

# City of Salisbury



MARYLAND

JAMES IRETON, JR.

MAYOR

JOHN R. PICK

CITY ADMINISTRATOR

LORÉ CHAMBERS

ASSISTANT CITY ADMINISTRATOR

BARBARA DUNCAN

CHIEF OF POLICE

SALISBURY POLICE DEPARTMENT

699 W. SALISBURY PARKWAY

SALISBURY, MARYLAND 21801

Tel: 410-548-3165

Fax: 410-548-5173

**TO:** MR. JOHN PICK, CITY ADMINISTRATOR

**FROM:** CPL. SCOTT M. ELLIOTT #1130

**REFERENCE:** JAG 2008-DJ-BX-0501

**DATE:** JANUARY 5, 2012

ATTACHED IS AN INTERLOCAL AGREEMENT (MEMORANDUM OF UNDERSTANDING) IN REFERENCE TO JUSTICE ASSISTANCE GRANT PROGRAM GRANT NUMBER **2008-DJ-BX-0501**. THE NEED FOR THIS AGREEMENT IS EXPLAINED BELOW:

ON FRIDAY, DECEMBER 30, 2011, CPL. ELLIOTT COMPLETED THE REPORTS AND SUBMISSIONS IN THE FEDERAL GRANT MANAGEMENT SYSTEM REQUIRED TO BEGIN THE "CLOSE-OUT" PROCESS FOR THE ABOVE MENTIONED GRANT. ON TUESDAY, JANUARY 3, 2012, CPL. ELLIOTT WAS ADVISED BY THE GRANT MANAGER FOR THIS GRANT THAT IN ORDER TO "CLOSE-OUT" THE GRANT SHE NEEDED A COPY OF THE M.O.U. FOR THIS GRANT. CPL. ELLIOTT CHECKED THE GRANT FILE AND WAS UNABLE TO LOCATE A COPY OF THE M.O.U. CPL. ELLIOTT THEN CONTACTED THE CITY CLERK AND INQUIRED IF SHE HAD A COPY OF THE M.O.U. FOR THIS GRANT. THE CITY CLERK ADVISED THAT SHE DID NOT HAVE ANYTHING INDICATING THAT A M.O.U. WAS EVER CREATED. CPL. ELLIOTT THEN CONTACTED THE GRANT MANAGER AND ADVISED HER THAT THE SUBJECT WHO WAS IN CHARGE OF MANAGING THIS GRANT WHEN IT WAS ACCEPTED BY THE CITY NEVER HAD A M.O.U. CREATED. THE GRANT MANAGER ADVISED CPL. ELLIOTT THAT A M.O.U. WOULD NEED TO BE CREATED AT THIS TIME IN ORDER TO PROCEED WITH THE "CLOSE-OUT" PROCESS. CPL. ELLIOTT ADVISED THE GRANT MANAGER THAT HE WOULD COMPLETE THIS TASK AS SOON AS POSSIBLE.

ON THURSDAY, JANUARY 5, 2012, CPL. ELLIOTT RECEIVED AN E-MAIL FROM THE GRANT MANAGER ADVISING THAT IF THE M.O.U. WAS NOT FORWARDED TO HER OFFICE BY JANUARY 9, 2012 THAT THE GRANT WOULD BE CLOSED AS "NON-COMPLIANT" WHICH MEANS THAT THE CITY OF SALISBURY WOULD NOT BE REIMBURSED THE GRANT AMOUNT. IT SHOULD BE NOTED THAT THE FUNDS UNDER THIS GRANT ACCOUNT HAVE ALREADY BEEN EXPENDED. CPL. ELLIOTT CONTACTED THE GRANT MANAGER AND ADVISED THAT IN ORDER TO PROVIDE HER WITH A M.O.U.; THE DOCUMENT WOULD HAVE TO BE PRESENTED TO THE SALISBURY CITY COUNCIL, THE MAYOR OF SALISBURY, AND THE COUNTY EXECUTIVE FOR WICOMICO COUNTY. CPL. ELLIOTT FURTHER ADVISED THE GRANT MANAGER THAT THE NEXT CITY COUNCIL MEETING WASN'T SCHEDULED UNTIL JANUARY 9, 2012 AT 1800 HRS AND THAT CPL. ELLIOTT WAS NOT SURE THAT THE M.O.U. COULD BE ADDED TO THE AGENDA AT THIS LATE DATE. CPL. ELLIOTT ADVISED THE GRANT MANAGER THAT HE WOULD CREATE THE REQUIRED M.O.U. AND ATTEMPT TO HAVE IT ADDED TO THE JANUARY 9<sup>TH</sup> AGENDA AND THAT CPL. ELLIOTT WOULD THEN OBTAIN THE MAYOR'S AND COUNTY EXECUTIVE'S SIGNATURES AS SOON AS POSSIBLE AFTER THAT. THE GRANT MANAGER ADVISED THAT SHE WOULD NOTE THESE ISSUES IN THE GRANT ACCOUNT AND ADVISED THAT IF CPL. ELLIOTT COULD FORWARD THE M.O.U. TO HER OFFICE BY JANUARY 13, 2012 THEN SHE WOULD DO WHAT SHE COULD TO PREVENT THE ACCOUNT FROM BEING CLOSED AS "NON-COMPLIANT".

CPL. ELLIOTT HAS CREATED A M.O.U. BASED ON INFORMATION OBTAINED FROM RESOLUTION NO. 1705 UNDER WHICH THE CITY COUNCIL ORIGINALLY ACCEPTED THE GRANT FUNDS ON OCTOBER 13, 2008. A COPY OF THAT RESOLUTION IS INCLUDED WITH THESE DOCUMENTS. THANK YOU FOR YOUR TIME AND ASSISTANCE.

RESPECTFULLY,

CPL. SCOTT M. ELLIOTT #1130

Resolution No. 1705

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY ACCEPTING FEDERAL FUNDS AWARDED BY THE U.S. JUSTICE DEPARTMENT THROUGH THE JUSTICE ASSISTANCE GRANT PROGRAM TO ENHANCE THE COMMUNICATIONS NETWORK OF THE POLICE DEPARTMENT.

WHEREAS, this Justice Assistance Grant is awarded by the federal government to reduce crime and improve public safety; and

WHEREAS, this grant award will be evenly divided between the Salisbury Police Department and the Wicomico County Sheriff's Office; and

WHEREAS, the Salisbury Police Department intends to maintain high availability technology of the Department's data communication network; and

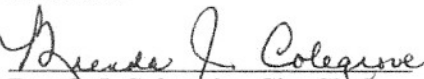
WHEREAS, the Salisbury Police Department will obtain a technological upgrade of the Department's data communication network to provide daily information on crime statistics and crime prevention information and increase security of the Department's internal data network; and

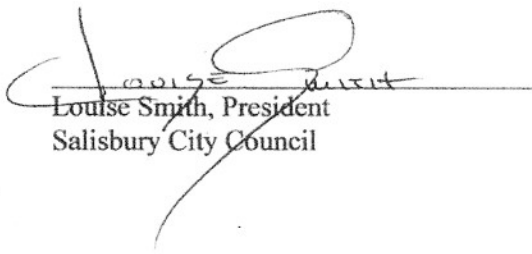
WHEREAS, these funds will be used to enhance the Salisbury Police Department's website.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that a grant from the U.S. Justice Department in the amount of \$17,684 be accepted and that one half of those funds (\$8,842) be forwarded to the Wicomico County Sheriff's Office in accordance with an agreement between the City and the County. Be it further resolved, that the City's share of these funds will be used to enhance the communication network of the Police Department.

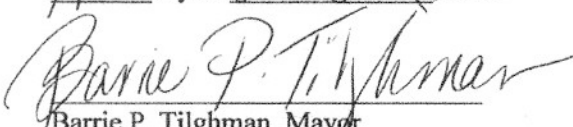
THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on October 13, 2008 and is to become effective immediately upon adoption.

ATTEST:

  
Brenda J. Colegrove, City Clerk

  
Louise Smith, President  
Salisbury City Council

APPROVED BY ME THIS:  
  
day of OCTOBER, 2008

  
Barrie P. Tilghman, Mayor



JAMES IRETON, JR.  
MAYOR  
JOHN R. PICK  
CITY ADMINISTRATOR  
LORÉ CHAMBERS  
ASSISTANT CITY ADMINISTRATOR

BARBARA DUNCAN  
CHIEF OF POLICE  
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Tel: 410-548-3165  
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GMS APPLICATION NUMBER 2008-DJ-BX-0501

THE STATE OF Maryland

COUNTY OF Wicomico

KNOWN ALL BY THESE PRESENT

#### INTERLOCAL AGREEMENT

BETWEEN THE CITY OF SALISBURY, MARYLAND AND COUNTY OF WICOMICO, MARYLAND

#### 2008 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

On the 13<sup>th</sup> day of October 2008, Resolution No. 1705 of the Council of the City of Salisbury, Maryland was introduced and duly passed in which the Council accepted Federal funds awarded by the U.S. Department of Justice through the Justice Assistance Grant Program. In this Resolution, the grant from the U.S. Justice Department in the amount of \$17,684 was accepted and it was stated that one half of those funds (\$8,842) would be forwarded to the Wicomico County Sheriff's Office in accordance with an agreement between the City and the County.

This Agreement was made and entered into the 13<sup>th</sup> day of October 2008, by and between the COUNTY of Wicomico, acting and through its governing body, the County Council, hereinafter referred to as COUNTY, and the CITY of Salisbury, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Wicomico County, State of Maryland, witnesseth;

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the CITY agrees to provide the COUNTY \$8,842 from the total JAG award in the amount of \$17,684 from the JAG program; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the CITY and COUNTY agree as follows:



Section 1.

CITY agrees to pay County a total of \$8,842 of JAG funds.

Section 2.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

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(Mandatory)

Section 3.

The parties to this agreement do not intend for any third party to obtain a right by virtue of the Agreement.

Section 4.

By entering into this Agreement, the parties do not intend to create any obligations, express or implied, other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY of Salisbury, Maryland

COUNTY of Wicomico, Maryland

\_\_\_\_\_  
James Ireton, Jr.

Mayor

\_\_\_\_\_  
Richard M. Pollitt, Jr.

County Executive

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

RESOLUTION NO. 2135

A RESOLUTION OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR OF THE CITY OF SALISBURY TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SALISBURY, MARYLAND AND THE COUNTY OF WICOMICO, MARYLAND IN REFERENCE TO THE 2008 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD NUMBER 2008-DJ-BX-0501.

WHEREAS, the Justice Assistance Grant Award was accepted by the Council of the City of Salisbury by way of Resolution #1705 on the 13<sup>th</sup> day of October, 2008; and

WHEREAS, the Justice Assistance Grant Award was divided between the Salisbury Police Department and the Wicomico County Sheriff's Office; and

WHEREAS, an Interlocal Agreement was not entered in to at the time of the Resolution that accepted the Grant Award; and

WHEREAS, an Interlocal Agreement is required by the Justice Assistance Grant Program in order to "close-out" the Grant so that the City of Salisbury may be reimbursed for the funds already spent under this Grant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the Mayor of the City of Salisbury be authorized to sign the attached Interlocal Agreement between the City of Salisbury, Maryland and the County of Wicomico, Maryland in reference to the 2008 Byrne Memorial Justice Assistance Grant Award Number 2008-DJ-BX-0501.

THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on the \_\_\_\_ day of \_\_\_\_\_, 2012 and is to become effective immediately upon adoption.

ATTEST:

\_\_\_\_\_  
Brenda J. Colegrove, City Clerk

\_\_\_\_\_  
Terry E. Cohen, President  
Salisbury City Council

APPROVED BY ME THIS:

\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
James Ireton Jr., Mayor